

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Bobbie Hudgins,

Case No. 23-cv-3025 (JRT/DTS)

Plaintiffs,

v.

**ORDER**

Radius Global Solutions, LLC,

Defendant.

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Plaintiff Bobbie Hudgins filed this Class Action Complaint on September 29, 2023 but did not adequately plead the jurisdictional facts necessary to establish diversity jurisdiction. Dkt. No. 1. Plaintiff Hudgins identified the corporate structure of Defendant but failed to properly allege Defendant's citizenship, based on that corporate structure.

To bring a class action complaint in federal court under diversity jurisdiction, at least one class member must be a citizen of a state different from the Defendant. 28 U.S.C. § 1332(d)(2). The Defendant's corporate structure will determine its citizenship. If Defendant is structured as an LLC, it will have the citizenship of each of its members. See *OnePoint Solutions, LLC v. Borchert*, 486 F.3d 342, 346 (8th Cir. 2007); see also *Carden v. Arkoma Assoc.*, 494 U.S. 185 (1990). In contrast, if Defendant is a corporation, its citizenship would be determined by its principal place of business and the state or foreign state of its incorporation. See 28 U.S.C. § 1332(c)(1); see also *Daimler AG v. Bauman*, 571 U.S. 117, 136-39 (2014).

Plaintiff Hudgins pleaded only that Defendant "is a Minnesota limited liability corporation, with a principal place of business located at 7831 Glenroy Rd., Suite 250,

Minneapolis, MN 55439.” This pleading fails to disclose Defendant’s citizenship. Regardless of its principal place of business, an LLC will have the citizenship of each of its members. *See OnePoint Solutions, LLC*, 486 F.3d at 346. Plaintiff’s Complaint lacks information about the citizenship of the members of Defendant’s LLC to confirm that at least one class member is a citizen of a state different than the Defendant.

Therefore, **IT IS HEREBY ORDERED** that no later than **October 20, 2023** Plaintiff shall file an Amended Complaint curing the jurisdictional deficiency by adequately pleading the jurisdictional facts with respect to Defendant’s citizenship.

Dated: October 5, 2023

David T. Schultz  
DAVID T. SCHULTZ  
U.S. Magistrate Judge